

H. B. No. 180, A bill to be entitled "An Act amending Section 2 of Chapter 250, Acts of the Fifty-fourth Legislature, Regular Session, 1955, compiled as Article 8280-167 of Vernon's Civil Statutes, so as to redefine the boundaries of the "Yorks Creek Improvement District"; and declaring an emergency."

H. B. No. 221, A bill to be entitled "An Act amending Section 1, House Bill No. 34, Chapter 22, Acts of the 53rd Legislature, First Called Session, 1954, prescribing an open season on deer in Maverick County and that part of Val Verde County lying East of the Pecos River; and declaring an emergency."

H. B. No. 341, A bill to be entitled "An Act to authorize the Lake Fork Water Control and Improvement District, Number One (1), to levy, assess and collect a special assessment based upon actual benefits received by lands within the District., etc., and declaring an emergency."

H. B. No. 380, A bill to be entitled "An Act relating to the authority of the Board of Trustees of Crockett Independent School District to appoint a Board of Equalization; amending Section 4, Chapter 16, Acts of the 35th Legislature, 1st Called Session, 1917; and declaring an emergency."

Adjournment

On motion of Senator Hardeman the Senate at 12:22 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

FORTIETH DAY

(Wednesday, March 25, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Baker	Hudson
Bradshaw	Kazen
Colson	Krueger
Crump	Lane
Dies	Martin
Fly	Moffett
Fuller	Moore
Gonzalez	Owen
Hardeman	Parkhouse
Hazlewood	Phillips

Ratliff	Smith
Reagan	Weinert
Roberts	Willis
Rogers	Wood
Secrest	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Merciful Father, like the prodigal coming home to the father, so we would come to Thee now; confessing that we have sinned against heaven and in Thy sight. We pray that Thou wilt put the kiss of forgiveness upon us, and clothe us with the robe of Thy righteousness. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Owen submitted the following report:

Austin, Texas,
March 24, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Oil and Gas, to whom was referred S. B. No. 361, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Senator Weinert submitted the following reports:

Austin, Texas,
March 24, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 395, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
March 24, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water

and Conservation, to whom was referred S. B. No. 400, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Kazen submitted the following reports:

Austin, Texas,
March 25, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Transportation, to whom was referred H. B. No. 375, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

KAZEN, Chairman.

Austin, Texas,
March 25, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Transportation, to whom was referred S. B. No. 328, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute for S. B. No. 328 be passed and printed in lieu thereof.

KAZEN, Chairman.

C. S. S. B. No. 328 was read the first time.

Senate Resolution 243

Senator Phillips offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Barbara Filipp, of Danbury; Eleanor Turman of Angleton and Billie Harris of Brazoria; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Phillips by unanimous consent presented the guests to the Members of the Senate.

Senate Resolution 244

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, Junior Class of East Bernard High School, accompanied by their sponsors, R. W. Jackson and Louis Naiser; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students and sponsors to the Members of the Senate.

Senate Resolution 245

Senator Parkhouse offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Miss Carol Ann Young of Dallas; and

Whereas, We desire to welcome this distinguished visitor to the capitol Building and Capital City; now, therefore, be it

Resolved, That her presence be recognized by the Senate of Texas and that she be extended the official welcome of the Senate and the privilege of the floor for the day.

The resolution was read and was adopted.

Senator Parkhouse by unanimous consent presented Miss Young to the Members of the Senate.

Senate Resolution 246

Senator Crump offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Senior Government Class of Uvalde High School, Uvalde County, Texas, accompanied by their teachers, Mr.

Ken Clapp, assistant principal, and Mrs. Bertie Chinn; and some of the students' parents: Mrs. F. W. Calvert, Mrs. Bert Clements, Mrs. Harry Goldberg and Mrs. H. B. Nicholson; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Crump by unanimous consent presented the students and teachers to the Members of the Senate.

Senate Resolution 247

Senator Hardeman offered the following resolution:

Whereas, On March 28, 1889, there was born to a pioneer Methodist minister, J. B. Adair, and his wife, Mattie Palmer Adair in Queen City, Cass County, Texas, a son, Honorable A. Garland Adair, who was to distinguish himself in the newspaper and historical fields following his youth and service to his country in World War I, being honorably discharged on December 20, 1918; and

Whereas, This distinguished native son of Texas was married to Miss Gladys Marie Ingram, a teacher in the Texarkana, Texas, public schools at the time and to which union there were born three children, namely, a son, John Garland Adair, and two daughters, Sarah and Marie Adair; and

Whereas, His contributions to the newspaper profession, both as editor and publisher, and his activities in fraternal, civic, patriotic, educational, political and religious life, in the communities in which he has resided, have continued, unabated, while he has devoted and dedicated his time and talents to the preservation of the great events, epics, legends, heroes, and traditions of Texas history under six flags, reflected in numerous books, written by him; and

Whereas, Colonel Adair was the

originator of the Texas Centennial silver fifty-cent piece, coined at the request of the American Legion, Department of Texas, by the National government, for the 1936 Centennial celebration of Texas Independence, and the sales of such coins netted the Texas Memorial Museum approximately \$91,000.00; and

Whereas, The said A. Garland Adair, as chairman of the American Legion Texas Centennial Committee, sponsors of the Texas Memorial Museum, was honored by the Forty-seventh Legislature of the State of Texas, as the author of the legislation making possible the building, furnishing and equipping of the museum and, accordingly, designated him to serve as Statehood Commissioner for the successful observances in 1945 and 1946 of the Centennial of Texas as the Twenty-eighth State in the United States of America, thereby becoming the brightest star in the field of blue; and

Whereas, As Curator of History in the Texas Memorial Museum since its opening in 1939 and as Executive Director of the Texas Heritage Foundation since its incorporation in 1947, Colonel Adair, has established an enviable record in locating and bringing about the purchase and return to Texas of hundreds of historical Texana documents and articles from other states and foreign countries; and

Whereas, In recognition of his dedication to his chosen profession, he has been given honorary life membership in the Sons of the Republic of Texas, life membership in the Texas Historical Association, is a Fellow in the Texas Academy of Science and member of the Texas Press Association; and

Whereas, It is the desire of the Senate of Texas to extend its congratulations and felicitations to this noble son of Texas—Colonel A. Garland Adair, scholar, author, patriot and gentleman—on the occasion of the observance of his attaining the Biblical age of three score years and ten, on March 28, 1959, and expressing its gratitude for the service he has unselfishly rendered, and is continuing to render, the Lone Star State; now, therefore, be it

Resolved by the Senate of Texas, That its congratulations and good wishes be, and they are hereby, extended to Honorable A. Garland Adair on the occasion of the observance

of his seventieth birthday anniversary and that a page be set apart in the Journal for this resolution.

HARDEMAN

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Bradshaw, Colson, Crump, Dies, Fly, Fuller, Gonzalez, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution, as amended, was then adopted.

Senator Hardeman by unanimous consent presented Mr. Adair to the Members of the Senate.

Senate Resolution 248

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 6th Grade Class of Casis School in Austin, Travis County, Texas, accompanied by their teacher, Mrs. Geneva Corder; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to the class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and sponsors to the Members of the Senate.

Senate Resolution 249

Senator Ratliff offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the top 5% of American History Honor Students of Abilene High

School, Taylor County, Abilene, Texas, accompanied by their teacher, Vernon Spence; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ratliff by unanimous consent presented the students and Mr. Spence to the Members of the Senate.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 25, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House has appointed the following Conference Committee on H. B. No. 110: Anderson, Turman, Kilpatrick, McIlhany and Russell.

S. B. No. 141, A bill to be entitled "An Act to amend Senate Bill No. 270, Chapter 53, Acts of the 50th Legislature of Texas, 1947, relating to a road system for Limestone County, Texas, so as to fix the county engineer's salary at an amount not to exceed Eight Thousand Five Hundred (\$8,500.00) Dollars per annum; and declaring an emergency."

S. B. No. 143, A bill to be entitled "An Act to transfer the control and management of the Texas Memorial Museum to the Board of Regents of The University of Texas; repealing all laws or parts of laws in conflict; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 250

Senator Crump offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Lampasas High School Civics Class, Lampasas County, Texas, accompanied by their teacher, Mr. M. B. Harrison; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Crump by unanimous consent presented the students and teacher to the Members of the Senate.

Senate Resolution 251

Senator Martin offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Junior and Senior classes from Iredell High School of Iredell, Texas, accompanied by their superintendent, J. M. Sartor, and Mrs. Hayden Sadler and Mrs. D. Whitlock, teachers; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Martin by unanimous consent presented the students and superintendent and teachers to the Members of the Senate.

Senate Resolution 252

Senator Moffett offered the following resolution:

Whereas, Mr. and Mrs. William S. Shirley of Anchorage, Alaska, are making a tour of various states of the Union; and

Whereas, Mr. Shirley is the good will representative of the Governor of the State of Alaska and as such representative will present a flag of the 49th state to Governor Price Daniel of Texas on the afternoon of March 25, 1959; and

Whereas, Mr. and Mrs. William S. Shirley have been the guests of Mr. and Mrs. Charles E. Hipp, Sr., of Graham, Texas, for the past ten days; and

Whereas, These estimable citizens of Texas and Alaska will spend most of the day in our Capitol City accompanied by Mr. Jack Grace and Mr. Phil Myers of Wichita Falls, Mr. Charley Grace and Mr. Joe Watson of Fort Worth, Mr. John Hamilton of San Antonio, and Mr. C. W. Grant-ham of Dallas; and

Whereas, Mr. Bob Armstrong and Mr. Lewis E. Berry of Austin, Texas, are hosts of the day while the above mentioned guests are in the Capitol City; and

Whereas, Mr. Charles E. Hipp, Sr. is the proud possessor of the famed lioness named "Blondie" who has appeared on national television, in films, and before audiences throughout the nation; and

Whereas, These distinguished visitors are now in the Senate Gallery of the Capitol Building; now, therefore, be it

Resolved, By the Senate of Texas, that they be extended an official welcome and the privileges of the floor for the day.

MOFFETT
WILLIS

The resolution was read and was adopted.

Senator Moffett by unanimous consent presented the guests to the Members of the Senate.

Senate Resolution 253

Senator Hardeman offered the following resolution:

Whereas, On March 25, 1821, Grecian patriots cast off the Ottoman fetters with which they had been

bound for about four hundred years; and

Whereas, This great people of Hellas have demonstrated the courage and heroism, inherited from the Homeric Age in declaring and maintaining their independence throughout the passing years; and

Whereas, It is the desire of the Senate of Texas to recognize the valor and patriotism of the people of Greece; now, therefore, be it

Resolved, By the Senate of Texas, that the people of Greece be congratulated upon the maintenance of their blood-bought independence, as well as for the many contributions of Greece, since the earliest days of antiquity, to the freedom and culture of the world.

HARDEMAN
PARKHOUSE

The resolution was read and was adopted.

Senate Concurrent Resolution 41

Senator Gonzalez offered the following resolution:

S. C. R. No. 41, Memorializing Congress of United States relative to retirement benefits of the Armed Forces.

Whereas, There is now pending before the Congress of the United States legislation concerning the improvement of benefits for retired members of the U. S. Armed Forces who retired prior to June 1, 1958; and

Whereas, There appear to be no basis for the gross discrimination against retired personnel who retired before June 1, 1958, as they are, by reason of past meritorious services, equally entitled to the increased benefits granted personnel who retire, or have retired after such date; and

Whereas, This false distinction violates the basic precepts of fair play, and the circumstances of retirement should not penalize these honorable members of our society, who must meet the present ever-increasing cost of living the same as personnel that retired after June 1, 1958; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the Legislature of the State of Texas respectfully memorializes the Congress of the United States to enact legislation that will increase the retirement benefits of the retired personnel who retired prior to June 1, 1958, so that they will be treated equally with personnel

who retire, or have retired, after such date.

The resolution was read.

On motion of Senator Gonzalez and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 254

Senator Owen offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate W. N. Agee of El Paso; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Owen by unanimous consent presented Mr. Agee to the Members of the Senate.

Senate Concurrent Resolution 42

Senator Krueger offered the following resolution:

S. C. R. No. 42, Providing for creation of a committee to study radiation exposure to radioactive materials and certain equipment.

Whereas, There is presently pending in the Legislature of the State of Texas certain legislation dealing with the regulation of radiation exposure to radioactive materials and radiation producing equipment; and

Whereas, The problem of protecting workers and the general public against unnecessary radiation in the peaceful use of atomic energy is one which faces both State and Federal governments; and

Whereas, The population of the State of Texas is now increasing at an unprecedented rate, as well as the growth of industry in our State; and

Whereas, The demands for an enlightened citizenship to meet and solve the problems created in this atomic era places a tremendous responsibility upon the law-making as well as the law-enforcing bodies of this State; and

Whereas, The future and orderly growth of this State depends upon the solution of these numerous problems encompassed in the subject of atomic energy; and

Whereas, It is imperative to provide a long-range program that will meet the demands of social, economic, educational, industrial, and research activities in this field of atomic energy and atomic radiation; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that a Committee composed of fifteen (15) members be immediately constituted to coordinate and complete a comprehensive study involving all aspects of radiation as it affects the public, industry, health, research groups, and others of our State and the need for protection of all concerned; and be it further

Resolved, That the Lieutenant Governor shall appoint three (3) members of the Senate; that the Speaker of the House of Representatives shall appoint three (3) members of said committee; and that the Governor of the State of Texas shall appoint nine (9) members from the public, one-third of whom shall be in health fields, one-third of whom shall be in the industrial field, and one-third of whom shall represent the public at large; that those members of the Senate and the House of Representatives who serve on the Committee shall be reimbursed for their actual and necessary expense while in attendance upon meetings of the Committee from contingent funds of each respective branch of the Legislature; and be it further

Resolved, That said Committee is empowered to effect its own organization and adopt such procedure and operate as may be necessary to carry out fully the purposes herein described and shall make such recommendations to the Governor, the Fifty-Seventh Legislature, and the people of the State as it may determine the facts and conditions to warrant. Copies of each and every recommendation shall be filed with the Governor, Lieutenant Governor, and Speaker of the House, given to the press, and all state-wide organizations interested in this topic within the State.

KRUEGER
PHILLIPS
REAGAN
BAKER

The resolution was read.

On motion of Senator Krueger and by unanimous consent the resolu-

tion was considered immediately and was adopted.

Senate Bill 411 on First Reading

Senator Willis moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Baker	Moore
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fly	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—2

Hardeman	Martin
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Absent

Fuller	Owen
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The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Willis:

S. B. No. 411, A bill to be entitled "An Act for the preservation of the public safety, regulating the business of automotive vehicle repair; defining what constitutes engaging in the automotive vehicle repair business as well as defining certain other words; creating the Texas Board of Examiners in Automotive Vehicle Repair; vesting in the Board the duty of administering this Act and further defining its duties, functions and powers; empowering the Board to make rules and regulations for the control of the automotive vehicle repair business, to promote occupational security of operators and to prevent unethical trade practices, to prescribe minimum requirements for conducting such business, to prescribe minimum standards of knowledge and skill for performing automotive vehicle repair services, and otherwise to regulate the conduct of such business; requiring the licensing of persons, firms,

corporations and associations as a prerequisite to engaging in the automotive vehicle repair business and of individuals performing automotive vehicle repair services for such concerns; providing for the assessment, collection and disposition of fees and penalties; making other provisions relative to the issuance, suspension and revocation of licenses and certificates and to the administration of this Act; defining certain offenses and prescribing the penalty therefor, and making other provisions for enforcement of this Act; providing for severability; making an appropriation; and declaring an emergency."

To the Committee on State Affairs.

Senate Resolution 255

Senator Smith offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Rev. Jerry Chrush, Sharon Cooley, Fay Christoffersen, Dick Myers, Pete Lowe, Steve Fahrion, Jim Lewis, Merlin Brockwell, all students from Montana State College of Bozeman, Montana; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Smith by unanimous consent presented the guests to the Members of the Senate.

Senate Bill 412 on First Reading

By unanimous consent the following local bill was introduced, read first time and referred to the committee indicated:

By Senator Kazen:

S. B. No. 412, A bill to be entitled "An Act creating 'Del Mar Conservation District' under and in accordance with the provisions of Article XVI, Section 59, of the Constitution, comprising certain territory lying wholly in Webb County, Texas, for the purpose of providing a source of water supply and the distribution thereof for municipal, domestic and industrial use, processing and transporting it,

and in connection therewith to construct, establish and maintain storm and sanitary sewers; prescribing the rights, powers, duties and authority of the district, and providing for the government thereof; providing for elections; defining the powers of the district, for taxes and collection of revenues, and authorizing the approval of bonds by the Attorney General; and declaring an emergency."

To the Committee on Water and Conservation.

House Concurrent Resolution 46 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 46, Granting each House permission to adjourn from Wednesday, March 25, 1959, to Tuesday, March 31, 1959.

The resolution was read and was adopted.

House Bill 475 on Second Reading

On motion of Senator Lane and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 475, Prohibiting fishing in waters of Murvaul Lake in Panola County, Texas, prior to a certain date; prohibiting any person or group of persons from camping on the shores of Murvaul Lake in Panola County, Texas, on any land owned by the Panola County Fresh Water Supply District No. 1, except at certain points or places; . . . etc.; and declaring an emergency.

The bill was read second time and passed to third reading.

House Bill 475 on Third Reading

Senator Lane moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 475 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin

Baker

Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Martin	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 758 on Second Reading

On motion of Senator Lane and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its Second Reading and passage to third reading:

H. B. No. 758, A bill to be entitled "An Act authorizing the remaining balance of the sum of Fifty Thousand (\$50,000.00) Dollars heretofore appropriated to the Governor's Office in item 26 of the appropriation to the Governor's Office in H. B. No. 133, Acts of the 55th Legislature, Regular Session, 1957, Chapter 385, and transferred to the Attorney General's appropriation by the provisions of S. B. 2, Acts of the 55th Legislature, Second Called Session, 1957, Chapter 8 to be expended for the purposes stated in items 25, 26, and 27 of the appro-

priation to the Attorney General's Office in H. B. No. 133, Acts of the 55th Legislature, Regular Session, 1957, Chapter 385 in addition to the purposes stated in S. B. 2, Acts of the 55th Legislature, Second Called Session, 1957, Chapter 8; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 758 on Third Reading

Senator Lane moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 758 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 184 on Second Reading

Senator Herring asked unanimous consent to suspend the regular order of business and take up H. B. No. 184 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up H. B. No. 184 for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Martin	

Nays—2

Aikin	Roberts
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Absent

Fuller	Lane
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The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 184, Amending Section 22 of Chapter 52, Acts of the Forty-first Legislature, First Called Session, 1929, compiled as Section 22 of Article 1525b, Vernon's Annotated Penal Code relating to the control and eradication of bovine tuberculosis; providing a penalty for violation; and declaring an emergency.

The bill was read the second time.

Senator Fly offered the following amendment to the bill:

Amend H. B. No. 184 by adding a new Subsection 6A.

Sec. 6A. No funds shall be paid to owner for slaughtered cattle except as provided in the General Appropriation Bill, it being the intention of

the Legislature that no claims for reimbursement shall be made except those found in the General Appropriation Bill.

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend H. B. 184 by striking out the word "mandatory," line 35, page 1.

The amendment was adopted.

On motion of Senator Herring and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Votes

Senators Kazen and Gonzalez asked to be recorded as voting "Nay" on the passage of H. B. No. 184 to third reading.

House Bill 184 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 184 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Moore
Colson	Owen
Crump	Parkhouse
Fly	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Rogers
Hudson	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis
Moffett	Wood

Nays—5

Baker	Kazen
Dies	Roberts
Gonzalez	

Absent

Bradshaw	Fuller
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The President then laid the bill be-

fore the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Lane, Kazen and Dies asked to be recorded as voting "Nay" on the final passage of H. B. No. 184.

Message from the House

Hall of the House of Representatives
Austin, Texas,
March 25, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 88, A bill to be entitled "An Act amending Article 4518, Revised Civil Statutes of Texas, as amended, and relating to the accreditation of Schools of Nursing and Educational Programs, certification of Graduates, requirement of registration, and Examination by the Board of Nurse Examiners, and repealing Article 4518a, Revised Civil Statutes of Texas."

S. B. No. 165, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to improve the facilities of the Institute of Marine Science, Port Aransas, Texas, by constructing and equipping a Research Building and by acquiring by gift, purchase, or otherwise any or all of certain property at Port Aransas, Texas, for the purpose of dredging and maintaining dock facilities for University-owned boats; providing method of financing; and declaring an emergency."

S. B. No. 269, A bill to be entitled "An Act to fix and make certain the amount of compensation to be paid from County funds by Counties having a population of eight hundred thousand or more, according to the last preceding Federal Census, as compensation to District and Criminal District Judges in such Counties, providing the time and method of payment, authorizing amendment of the budget, providing for the compensation of substitute Judges, and declaring an emergency."

H. J. R. No. 41, Proposing an

amendment to Section 26-a of Article III of the Constitution of Texas, providing that no county shall have more than nine (9) Representatives unless the population of the county exceeds nine hundred thousand (900,000) and providing in which event such county may have one additional Representative for each additional four hundred thousand (400,000) population; providing for an election; prescribing the form of ballot; and providing for the necessary proclamation and publication.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Executive Session

On motion of Senator Reagan and by unanimous consent, the Senate agreed to hold an Executive Session at 11:43 o'clock a.m. today.

Accordingly, the President directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be Associate Justice of the Court of Civil Appeals for the Tenth Supreme Judicial District, to fill the unexpired term of Judge Joseph W. Hale, resigned, effective April 15, 1959: Frank M. Wilson of Waco, McLennan County.

To be members of the Good Neighbor Commission of Texas, for six-year terms to expire June 19, 1963: R. L. Wheelock of Corsicana, Navarro County; Boyd E. Ryan of El Paso, El Paso County; W. W. Callan of Waco, McLennan County.

To be a member of the Gulf States Marine Fisheries Commission, for a three-year term to expire March 17, 1960: Wilson Southwell of San Antonio, Bexar County.

To be a member of the State Board of Hairdressers and Cosmetologists, for a six-year term to expire August 9, 1963: Mrs. James L. Moore of San Marcos, Hays County.

To be a member of the Texas State Historical Survey Committee, for a term to expire January 1, 1959: I. C. Parma of Granger, Williamson County.

To be members of the Texas Library and Historical Commission, for six-year terms to expire September 28, 1963: Dr. Edmund Heinsohn of Austin, Travis County; Mrs. Albert R. Cauthorn of Del Rio, Val Verde County.

To be members of the Board of Trustees of the Municipal Retirement System, for six-year terms to expire December 31, 1964: W. H. Whaley of Sweetwater, Nolan County; Walter E. R. Wilkins of Corpus Christi, Nueces County.

To be a member of the State Board of Tuberculosis Nurse Examiners, to fill the unexpired term of Mrs. Jessie Williams Smith, resigned, term to expire May 15, 1958: Mrs. Brown Kendrick of Dallas, Dallas County.

To be a member of the State Board of Tuberculosis Nurse Examiners, for a six-year term to expire May 15, 1964: Mrs. Brown Kendrick of Dallas, Dallas County.

To be a member of the Sabine River Authority, to fill the unexpired term of L. L. Bowman, Jr., resigned, term to expire July 6, 1961: Gus Morris of Greenville, Hunt County.

To be a member of the Sabine River Authority, to fill the unexpired term of Carroll Swearingen, resigned, term to expire July 6, 1963: Robert K. Crow of Wills Point, Van Zandt County.

To be a member of the Sabine River Compact, for a two-year term to expire September 10, 1959: J. Ross Hopkins of Carthage, Panola County.

To be a member of the State Securities Board, for a six-year term to expire upon the installation of the Governor in 1965: Maurice Bullock of Fort Stockton, Pecos County.

To be members of the State Board of Registration for Public Surveyors, for six-year terms to expire September 6, 1963: George H. Lacy of Houston, Harris County; W. J. Burkart of Dallas, Dallas County.

To be members of the Board of

Regents of North Texas State College, for six-year terms to expire May 25, 1963: Robert Lee Bobbitt of San Antonio, Bexar County; S. A. Kerr of Huntsville, Walker County.

In Legislative Session

The President called the Senate to order as in Legislative Session at 12:05 o'clock p.m. today.

Committee Substitute House Bill 31 on Second Reading

On motion of Senator Rogers and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C. S. H. B. No. 31, An Act amending Chapter 52, Acts of the 41st Legislature, 1st Called Session, 1929, compiled as Article 1525b, Vernon's Annotated Penal Code, so as to provide for the control and eradication of bovine brucellosis; methods for the establishment of different types of brucellosis control areas; outlining practices to be followed in such areas; notice; protest and hearings; defining misdemeanors and fixing penalties; providing for regulations by the Livestock Sanitary Commission of Texas; notice and hearings upon such regulations; method of determining legality of regulations and acts and practices of such Commission; providing for severability and declaring an emergency.

The bill was read the second time.

Senator Dies offered the following amendment to the bill:

Amend H. B. No. 31 by adding a new section thereto being Section 23b to read as follows:

"All tests and vaccinations provided in this Act may be given and conducted by any person certified by the Texas Livestock Sanitary Commission, whether such person be a Doctor of Veterinary Medicine, or not."

The amendment was adopted.

On motion of Senator Rogers and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

**Committee Substitute House Bill 31
on Third Reading**

Senator Rogers moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. H. B. No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—2

Fuller	Martin
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Dies, Fuller, Lane and Phillips asked to be recorded as voting "Nay" on the final passage of C. S. H. B. No. 31.

Senate Resolution 256

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate "Big" John Hamilton of San Antonio; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented Mr. Hamilton to the Members of the Senate.

Senate Resolution 257

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 7th Grade Social Studies Class of O'Henry School in Austin, Travis County, Texas, accompanied by their teacher, Mrs. John E. Coats; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to the class in recognition of their visit.

The resolution was read and was adopted.

Message from the House

Hall of the House of Representatives
Austin, Texas,
March 25, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 37, Authorizing the closing of all state offices on the afternoon of Good Friday, March 27, 1959, etc.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 258

Senator Parkhouse offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Susan and Janet Bishop from Dallas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be

recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Parkhouse by unanimous consent presented the guests to the Members of the Senate.

Bill and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

H. C. R. No. 68, Inviting His Excellency, Don Adolfo Lopez Mateos, President of Mexico, to visit our Capital City of Austin and to address a Joint Session of the Legislature.

H. B. No. 124, An Act relating to the authorized investments of insurance companies and particularly the required insurance coverage on collateral; amending Article 2.10, Article 3.34, and Article 3.39 of the Insurance Code of Texas; and declaring an emergency.

Senate Bill 413 on First Reading

Senator Colson moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit her introducing at this time, a bill, the provisions of which she explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Martin	

Nays—1

Hardeman

Absent

Hazlewood

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Colson:

S. B. No. 413, A bill to be entitled "An Act conveying the Blue Ridge Prison Farm of the Texas Department of Corrections to the State of Texas; providing that the Commissioner of the General Land Office shall be authorized to sell the Blue Ridge Prison Farm for the State of Texas; providing the proceeds derived from the sale of the Blue Ridge Prison Farm shall be deposited in the General Revenue Fund of the State of Texas; expressly repealing Senate Bill No. 449, Acts of the 54th Legislature, Regular Session, 1955, Chapter 457, page 1178; and declaring an emergency."

To the Committee on State Affairs.

Senate Bill 414 on First Reading

Senator Colson moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit her introducing at this time, a bill, the provisions of which she explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Colson:

S. B. No. 414, A bill to be entitled "An Act authorizing the Texas Department of Corrections to purchase a tract of land containing approximately 8,300 acres within a radius of

twenty-five miles of the City of Huntsville, Texas; providing that the total cost of said land shall not exceed \$1,250,000.00; providing that the Texas Board of Corrections shall select the tract of land and handle all transactions from securing the initial option on the land to the consummation of the transaction; providing that said purchase price shall be paid out of the General Revenue Fund of the State of Texas; and it is the intention of the Legislature that the necessary appropriation for the acquisition of the above mentioned tract of land will be included in the biennial appropriation bill (for the two-year period from September 1, 1959, to and including August 31, 1961); and declaring an emergency."

To the Committee on State Affairs.

House Bill and Resolution on First Reading

The following bill and resolution received from the House, were read the first time and referred to the committees indicated:

H. B. No. 12, to Committee on Game and Fish.

H. J. R. No. 41, to Committee on Constitutional Amendments.

Recess

On motion of Senator Hardeman the Senate at 12:38 o'clock p.m. took recess until 10:30 o'clock a.m. tomorrow.

FORTIETH DAY

(Continued)

(Thursday, March 26, 1959)

After Recess

The Senate met at 10:30 o'clock a.m. and was called to order by the President Pro Tempore.

Leaves of Absence

Senator Dies was granted leave of absence for today on account of important business on motion of Senator Lane.

Senator Weinert was granted leave of absence for today on account of important business on motion of Senator Lane.

Senator Hazlewood was granted leave of absence for today on account

of important business on motion of Senator Hardeman.

Senator Wood was granted leave of absence for today on account of important business on motion of Senator Parkhouse.

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Parkhouse.

Reports of Standing Committees

Senator Hardeman by unanimous consent submitted the following reports:

Austin, Texas,
March 26, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 66, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 26, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 174, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HARDEMAN, Chairman.

Senator Lane by unanimous consent submitted the following reports:

Austin, Texas,
March 26, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Jurisprudence, to whom was referred S. C. R. No. 34, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 26, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Jurisprudence, to whom was referred S.